

Alber's Appeal Report Appellant's Response
Case Number #PLD2009-0016; SEP2009-00031; WET 2009-00026

Appellant's Response to County Staffs Response to Issue #1

(The appellant states that the County's error is a matter of law because the code defining a "standard road" has not been properly applied to this section NE 189th Street)

The residents living along our portion of 189th St., [Cramer Rd. to 102nd St.], who are intimately familiar with this road strongly disagree with the "Engineering staff" opinion regarding this issue. We have provided verbal testimony and pictorial documentation of our roads' deficiencies. We have also submitted documentation from two separate Hearing's Examiners and County Planning staff that supports our position. We stand by our original assertions with regard to these issues. *[Please see our Appeal Application dated August 14, 2009, Supporting Documentation, #4, #6 and #7.]*

Appellant's Response to County Staff's Response to Issue #2

(The appellant states that NE 189th Street was previously determined to be substandard in a prior land use hearing decision and now the County asserts it meets those standards.)

The County's position on this issue is not supported by any documentation. We have provided documentation supporting our claim that the "variable width" "substandard" road issue applies to the entire portion of 189th St., [Cramer Rd. to 102nd St.], based on two prior Hearing Examiner's decisions and correspondence from County Planning staff. *[Please see our Appeal Application dated August 14, 2009, Supporting Documentation, #4, #6 and #7.]*

Conclusion

The homeowners of NE 189th St. are firm in their belief that the County does not represent our best interests by requiring our variable width, substandard road to be opened for cross-circulation purposes. We believe their decision to open our road, to significant traffic from neighboring developments, as a "condition of approval" of the Alber's subdivision, is an arbitrary decision not supported by creditable evidence. It exposes our residents to unnecessary traffic, safety risks and impedes our quality of life. These standards under RCW 58.17.110, {...Subdivision & Dedication – Factors to be Considered . . .}, and {UBC 40.350.030 Street and Road Standards, Overview} have not been properly applied to this particular decision.

Recommendation

Based on the totality of information submitted, we are asking the BOCC to remove the condition placed upon the developer to "open" 189th St., [Cramer Rd. to 102nd St.], to through traffic. We believe the addition of four homes on our road does not meet the threshold under UBC 40.350.030.B.4.b(4)(a), guidelines requiring cross-circulation or an access road.



Renee' Henderson

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